

Permitting & Assistance Branch Staff Report
Revised Solid Waste Facilities Permit for the
Pumice Valley Landfill
SWIS No. 26-AA-0003
September 20, 2016

Background Information, Analysis, and Findings:

This report was developed in response to the Mono County Local Enforcement Agency's (LEA) request for the Department of Resources Recycling and Recovery (Department) concurrence on the issuance of a proposed revised Solid Waste Facilities Permit (SWFP) for the Pumice Valley Landfill, SWIS No. 26-AA-0003, located in Lee Vining, Mono County and owned and operated by Mono County Department of Public Works. A copy of the proposed permit is attached. This report contains Permitting & Assistance Branch staff's analysis, findings, and recommendations.

The proposed permit was initially received on August 9, 2016. Action must be taken on this permit no later than October 8, 2016. If no action is taken by October 8, 2016 the Department will be deemed to have concurred with the issuance of the proposed revised SWFP.

Proposed Changes

The following changes to the first page of the permit are being proposed:

	Current Permit (1978)	Proposed Permit (2016)
Name of Operator	Mono County Road Department	Mono County Department of Public Works
Permitted Hours of Operation	8 a.m. to 5 p.m. Sunday, Monday, Thursday, Friday, Saturday	See Condition 17.n
Permitted Maximum Tonnage	4 tons per day	110 TPD
Permitted Traffic Volume	Not Specified	30
Total Permitted Area (in acres)	40	48.4
Disposal Permitted Area (in acres)	Not Specified	23.6
Maximum Elevation (Ft. MSL)	Not Specified	6946

Maximum Depth (Ft. MSL)	Not Specified	30
Design Capacity (cubic yards)	Not Specified	741,360 CY
Estimated Closure year	2071	2048

Key Issues and Other Changes include:

1. Establish the disposal footprint as 23.6 acres;
2. Establish the design capacity as 741,360 CY (including daily and final cover);
3. Change the estimated closure year from 2071 (the 1978 permit estimated closure in 94 years) to 2048;
4. Change the hours of operation from 8:00 am – 5:00 pm Sunday, Monday, Thursday, Friday, Saturday to 7:30 am - 3:30 pm Wed. & Sat. or as currently described in the RDSI;
5. Establish a maximum elevation of 6,946 feet Mean Sea Level (MSL);
6. Change of land ownership from Los Angeles Department of Water and Power to Mono County Department of Public Works;
7. Updated terms and conditions;
8. Updated supporting documents;
9. Add monitoring reporting requirements.

Background

The Pumice Valley Landfill has operated as a sanitary landfill since 1972 serving the communities of Lee Vining, June Lake, Mono City and the surrounding unincorporated area. The landfill currently only disposes of inert and construction/demolition waste. Pumice Valley Landfill is the planned destination disposal facility for all municipal solid waste for the region when Benton Crossing closes, which is anticipated for 2023.

Findings:

Staff recommends concurrence in the issuance of the proposed revised SWFP. All of the required submittals and findings required by Title 27 of the California Code of Regulations (CCR), Section 21685, have been provided and made. Staff has determined that the California Environmental Quality Act (CEQA) requirements have been met to support concurrence. The findings that are required to be made by the Department when reaching a determination are summarized in the following table. The documents on which staff's findings are based have been provided to the Branch Chief with this Staff Report and are permanently maintained by the Waste Permitting, Compliance, and Mitigation Division.

27 CCR Sections	Findings	
21685(b)(1) LEA Certified Complete and Correct Report of Facility Information	The LEA provided the required certification in their permit submittal letter dated August 9, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(2) LEA Five Year Permit Review	A Permit Review Report was prepared by the LEA on September 30, 2014. The LEA provided a copy to the Department on October 3, 2014. The changes identified in the review are reflected in this permit revision.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(3) Solid Waste Facility Permit	Staff received a proposed Solid Waste Facilities Permit on August 9, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685 (b)(4)(A) Consistency with Public Resources Code 50001	The LEA in their permit submittal package received on August 9, 2016, provided a finding that the facility is consistent with PRC 50001. Waste Evaluation & Enforcement Branch (WEEB) staff in the Jurisdiction Compliance Unit found the facility is identified in the Countywide Siting Element, as described in the memorandum dated August 16, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(5) Preliminary or Final Closure Plan Consistency with State Minimum Standards	Engineering Support Branch staff in the Closure and Facility Engineering Unit have found the Preliminary Closure/Postclosure Maintenance Plan consistent with State Minimum Standards as described in their e-mail dated August 19, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(6) Known or Reasonably Foreseeable Corrective Action Cost Estimate	A copy of the most recently submitted written estimate to cover the cost of known or reasonable foreseeable corrective action was received by CalRecycle's Engineering Support Branch staff in the Closure and Facility Engineering Unit on January 26, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(A) Financial Assurances	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Financial Assurances for closure, postclosure and corrective action in compliance as described in their memorandum dated September 6, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(7)(B) Operating Liability Insurance	Permitting and Assistance Branch staff in the Financial Assurances Unit found the Operating Liability in compliance as described in their memorandum dated September 6, 2016.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

27 CCR Sections	Findings	
21685(b)(8) Operations Consistent with State Minimum Standards	WEEB staff in the Inspections and Enforcement Agency Compliance Unit found that the facility was in compliance with all operating and design requirements during an inspection conducted on August 4, 2016. See Compliance History below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21685(b)(9) LEA CEQA Finding	The LEA provided a finding in their permit submittal package received on August 9, 2016, that the proposed permit is consistent with and supported by the existing CEQA documentation. See the Environmental Analysis below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
21650(g)(5) Public Notice and/or Meeting, Comments	A Public Informational Meeting was held by the LEA on August 3, 2016. No written comments were received by LEA or Department staff. See Public Comments section below for details.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable
CEQA Determination to Support Responsible Agency's Findings	The Department is a responsible agency under CEQA with respect to this project. Permitting and Assistance Branch staff has determined that the CEQA record can be used to support the Branch Chief's action on the proposed revised SWFP.	<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Unacceptable

Compliance History:

WEEB staff in the Inspections and Enforcement Agency Compliance Unit conducted a pre-permit inspection on August 4, 2016, and found that the facility is in compliance with applicable state minimum standards and permit conditions.

Below are the details of the landfill's compliance history based on the LEA's monthly inspection reports during the last five years:

- **2016**
Six (6) violations of PRC 44014(b) -Terms and Condition of the Permit (January – June)
Six (6) violations of 27 CCR Section 20510 - Disposal Site Records (January-June)
- **2015**
Twelve (12) violations of PRC 44014(b) -Terms and Condition of the Permit
Four (4) violations of 27 CCR 20510 - Disposal Site Records (September – December)
Four (4) violations of 27 CCR 22101 - Corrective Action Cost Estimate (September – December)

- **2014**
Twelve (12) violations of PRC 44014(b) -Terms and Condition of the Permit
- **2013**
Twelve (12) violations of PRC 44014(b) -Terms and Condition of the Permit
Three (3) violations of 27 CCR 20830 - Litter Control (March, May, June)
Three (3) violations of 27 CCR 20820 - Drainage and Erosion Control (August – October)
Two (2) violations of 27 CCR 20510 - Disposal Site Records (May, June)
- **2012**
Twelve (12) violations of PRC 44014(b) -Terms and Condition of the Permit
Four (4) violations of 27 CCR 20510 - Disposal Site Records (January, May-July)
Four (4) violations of 27 CCR 20921 - Gas Monitoring and Control (January - April)
Four (4) violations of 27 CCR 20700 - Intermediate Cover (May- August)
One (1) Violation of PRC 44004(a) - Significant Change (June)
One (1) violation of 27 CCR 20680 - Daily Cover (August)

All State Minimum Standard violations were corrected to the satisfaction of the LEA. Violations of PRC 44014(b) will be corrected by issuance of the revised SWFP.

Environmental Analysis:

Under CEQA, the Department must consider, and avoid or substantially lessen where possible, any potentially significant environmental impacts of the proposed SWFP before the Department concurs in it. In this case, the Department is a Responsible Agency under CEQA and must utilize the environmental document prepared by the Mono County Community Development Department, acting as Lead Agency, absent changes in the project or the circumstances under which it will be carried out that justify the preparation of additional environmental documents and absent significant new information about the project, its impacts and the mitigation measures imposed on it.

The changes that will be authorized by the issuance of the proposed permit include:

- Operating hours Wednesday & Saturday 7:30 a.m.- 3:30 p.m. or as described in the RDSI;
- Allow a maximum of 110 tons per day;
- Allow 30 vehicles per day;
- Determine the facility boundary as 48.4 acres;
- Determine the disposal footprint as 23.6 acres;
- Determine a design capacity of 741,360 cubic yards;
- Establish a maximum elevation of 6,946 feet Mean Sea Level (MSL); and
- Change the estimated closure year from 2071 to 2048.

These changes are supported by the following environmental documents.

A Supplemental Environmental Impact Report (SEIR), State Clearinghouse No. 2004102104 was circulated for a 45 day comment period from March 25, 2005 to May 9, 2005. The SEIR, was certified by the Lead Agency on August 9, 2005 and a Notice of Determination was filed August 15, 2005. The SEIR did not identify any significant or unavoidable effects. An Addendum to the SEIR, dated July 26, 2016, was considered by the Board of Supervisors on August 2, 2016 and a Notice of Determination filed August 2, 2016.

The Mono County Environmental Health Department LEA has provided a finding that the proposed revised SWFP is consistent with and supported by the cited environmental documents.

Staff recommends that the Department, acting as a Responsible Agency under CEQA, utilize the Supplemental Environmental Impact Report and Addendum as prepared by the Lead Agency in that there are no grounds under CEQA for the Department to prepare a subsequent or supplemental environmental document or assume the role of Lead Agency for its consideration of the proposed revised SWFP. Department staff further recommends the Supplemental Environmental Impact Report and Addendum are adequate for the Branch Chief's environmental evaluation of the proposed project for those project activities which are within the Department's expertise and/or powers, or which are required to be carried out or approved by the Department.

The administrative record for the decision to be made by the Department includes the administrative record before the LEA, the proposed revised SWFP and all of its components and supporting documentation, this staff report, the Supplemental Environmental Impact Report adopted by the Lead Agency and Addendum, and other documents and materials utilized by the Department in reaching its decision on concurrence in, or objection to, the proposed revised SWFP. The custodian of the Department's administrative record is Ryan Egli, Legal Office, Department of Resources Recycling and Recovery, P.O. Box 4025, Sacramento, CA 95812-4025.

Public Comments:

The project document availability, hearings, and associated meetings were noticed consistent with the SWFP requirements. The LEA held a public informational meeting on August 3, 2016, at the Lee Vining Community Center. No members of the public were in attendance. No written comments were received by the LEA or Department staff.

Department staff provided an opportunity for public comment during the CalRecycle Monthly Public Meetings on August 16, 2016 and September 20, 2016. No comments have been received by Department staff.